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I. Iowa Code Chapter 13A - Prosecuting Attorneys Training Coordinator

- A. The Office of the Prosecuting Attorneys Training Coordinator (PATC) was created under the "Prosecuting Attorneys Training Coordinator Act of 1975." The duties of the PATC as defined by Iowa Code section 13A.8 are to:

"...keep prosecuting attorneys and assistant prosecuting attorneys of the state informed of all changes in law and matters pertaining to their office to the end that a uniform system of conduct, duty and procedure is established in each county of the state."

The duties of the PATC are administered by a staff consisting of the Coordinator as defined in Iowa Code section 13A.2(3), four assistant attorneys general, two legal secretaries, an administrative assistant, and a law-school intern. A list of the PATC staff and their responsibilities is included in the Appendix.

The PATC has actively sought and received federal grant funds to perform the duties outlined above. In 2006 the PATC administered the following federal grants: 1) Governor's Traffic Safety Bureau highway safety grant; 2) Governor's Office of Drug Control Policy (ODCP) Comprehensive Career Criminal & Drug Prosecution Support Program 3) Governor's Office of Drug Control Policy (ODCP) Office of Juvenile Justice and Delinquency Prevention/ Drug Endangered Children Program Grant. A detailed description and the services provided under each grant are outlined in Section III of this report.

- B. The Prosecuting Attorneys Training Coordination Council

The Prosecuting Attorneys Training Coordination Council (Council), as provided for by Iowa Code section 13A.2(2), was "established to consult with and advise the attorney general and the coordinator on the operation of the office". The Council consists of five members: the attorney general (or designee), the president of the Iowa County Attorneys Association (ICAA), and three members elected by and from the membership of the ICAA. The three elected Council members serve staggered three-year terms.

Members of the 2006 Council were: Francine Andersen (Audubon) Chairperson, Lee Beine (Cedar), Timothy Schott (Webster), Stephen Holmes (Story) and Thomas J. Miller (Attorney General).

As set forth under Iowa Code section 13A.5 the Council met for regular meetings on four occasions during 2006: February 9, April 27, October 5 and November 30. Each meeting was held, pursuant to published notice, at the PATC office at 1st Floor, Hoover State Office Building, Des Moines, Iowa.

II. Services provided by the Office of the Prosecuting Attorneys Training Coordinator (PATC)

- A. Training Programs

A descriptive summary of Continuing Legal Education events is attached in the Appendix.

1. PATC offers two comprehensive annual educational programs to prosecuting attorneys and assistant prosecuting attorneys each year.

- a. 2006 County Attorneys Spring Training Conference

The 2006 County Attorneys Spring Training Conference was held June 11-15, 2006 in Arnolds Park, Iowa. The conference was accredited for 17.50 hours of STATE CLE, 2.0 hours of ETHICS CLE, and 5.50 hours of FEDERAL CLE. Approximately 147 prosecuting attorneys, assistant prosecuting attorneys, and assistant attorneys general, attended the conference which was co-sponsored by the ICAA. Topics presented are listed in the Agenda in the Appendix.

- b. 2006 County Attorneys Fall Training Conference

The 2006 County Attorneys Fall Training Conference was held November 12-15, 2006 in Waterloo, Iowa. The conference provided 18.50 hours of STATE CLE, 1.0 hours of ETHICS CLE, and 5.50 hours of FEDERAL CLE. Approximately 144 prosecuting attorneys, assistant prosecuting attorneys, and assistant attorneys general attended the conference which was co-sponsored by the ICAA. Topics presented are listed in the Agenda in the Appendix.

2. In addition to the two annual conferences the PATC offered a variety of other training opportunities.

- a. Iowa Acts of Interest to Law Enforcement

Two one-day workshops were held following the close of the 2006 session of the Iowa Legislature. These workshops were conducted on June 21 in Coralville and June 23 in Ames. The workshops were attended by approximately 233 prosecuting attorneys, assistant prosecuting attorneys, and law enforcement personnel to earn 3.0 hours of State CLE. The workshops provided a summary of criminal laws passed by the 2006 legislature. The workshops were co-sponsored by the Iowa Department of Public Safety and the ICAA.

- c. Drug Enforcement Workshop

Four one-day workshops entitled "Interdictions, Diversions and Informants" were held in Burlington, Cedar Rapids, Ankeny and Storm Lake. Total attendance was 147 law enforcement officers and 24 prosecutors. Please refer to Section III B of this report for details.

- d. OWI and Alcohol Enforcement

On March 14 a one-day workshop on OWI and Vehicular Homicide was presented in Marshalltown for 48 prosecutors. In addition, during the federal fiscal year, 10 other training sessions and workshops were provided at various locations around the state attended by both law enforcement officers and prosecutors. A total of approximately 44 prosecutors attended those events. Please see Section IIIA for more details.

- e. Victim Witness Coordinator Training
Forty-five victim witness coordinators attended a one day training on issues specific to their duties presented on October 13 in Ames.

B. Publications

1. *Iowa Charging Manual, 5th Edition*

In 1996 the PATC contracted with Joseph P. Weeg to edit the *Iowa Charging Manual, 4th Edition*. There were revisions in 1997, 1998, 1999, and 2000. PATC Staff Attorney Ann E. Brenden produced the CD ROM research version of the Manual in 1999. A decision was made early in 2001 to combine the Charging Manual into a total revision of the Criminal Law Handbook. Because there was a significant overlap of materials in the two manuals, it was thought that the new product would be easier to use and less costly to produce and update. However, upon commencement of the project, it became clear that there was still a need for a separate, simple to use, Charging Manual produced in hard copy. That change in direction produced the 5th Edition Charging Manual. It was completed just in time for the 2002 Spring Conference and one hard copy was provided without cost to each county. Due to very few legislative changes in 2003, and limited time and funds, no comprehensive supplement was prepared. A separate, fully-linked electronic version (2004) was prepared by Ann Brenden using Folio software. A copy was provided to each county attorney office without cost in early 2005 and it is available to the public for purchase. The Manual was updated in September 2006 (version 2006-09). A sample order form is found in the Appendix. The Charging Manual also exists as Chapter 16 (Crimes) of the Iowa Criminal Law Handbook.

2. *Prosecution of Domestic Violence in Iowa: A Prosecution Manual, Third Edition*

Under a PATC contract, Linda McGuire wrote the *Prosecution of Domestic Violence In Iowa: A Prosecution Manual, Third Edition*. The manual was published in July, 1998, and remains available. There have been no updates or supplements.

3. *Annotations*

During 2006 PATC published and distributed four issues of the *Annotations* newsletter to 400 prosecuting attorneys, assistant prosecuting attorneys, assistant attorneys general, judges, other state coordinators, and law enforcement personnel. *Annotations* contains articles, information and items of interest to prosecutors. *Annotations* is now published only in electronic form. Although there are fewer formal newsletters, those have been supplemented by timely emails to all county attorney offices on issues of importance that arise almost weekly.

4. *Iowa Acts of Interest to County Attorneys*

For many years, PATC, with the assistance of the Iowa Department of Public Safety and the Iowa Attorney General's Office, published each June the *Iowa Acts of Interest to County Attorneys*. This was a compilation of all

criminal and civil laws affecting prosecuting attorneys enacted by the legislature during the recent session. Due to budget cuts beginning early in 2001, the substantial costs of printing and binders necessitated a reduction in the number of pages which could be printed. In 2006, as in 2005, 2004, 2003, 2002 and 2001, only the most essential law changes were provided in hard copy as a part of the manual produced for each attendee at the 2006 Spring Training Conference. An oral presentation supplemented the printed materials.

5. *Iowa Acts of Interest to Law Enforcement*

PATC, again with the assistance of the Iowa Department of Public Safety and the Iowa County Attorneys Association, in June published *Iowa Acts of Interest to Law Enforcement*. This is a comprehensive manual consisting of criminal laws passed by the 2006 legislature affecting law enforcement and prosecutors and used for the two, one day training sessions in late June.

6. *Iowa Prosecutor's Forms Book*

The Forms Book, as a hard copy manual, has neared the end of its existence. In late 2004 a revised set of ten guilty plea forms and a waiver of counsel form were distributed on CD-ROM without charge to each county attorney office. Further revisions to those forms will be distributed in electronic form only in early 2007. A thorough all-electronic revision is in the works for the future.

7. *Iowa Sexual Abuse Prosecution Manual*

In July, 1999, PATC published the first edition of the Iowa Sexual Abuse Prosecution Manual. With the assistance of a grant from the Governor's Alliance on Substance Abuse, PATC contracted with Melodee Hanes to edit the manual. The publication covers the entire subject of sexual abuse in order to prepare prosecutors for the prosecution of such crimes. There has been no update or supplement to the manual.

8. *Iowa Search and Seizure Manual*

In January 2000 PATC published the first edition of the Iowa Search and Seizure Manual. Joseph Weeg served as Editor. In May 2001 PATC staff attorney Kevin Struve completed a full revision of the manual and PATC staff attorney Ann Brenden produced an accompanying CD-ROM. The Manual has been updated through December 2006 and now exists only as a CD-ROM formatted in Folio Views. Free copies are provided to each prosecutor office and the CD-ROM is available for purchase. A copy of its order form is included in the Appendix. In early 2005 the Search and Seizure Manual also became a part of the Criminal Law Handbook.

9. *OWI/Major Traffic Offenses in Iowa: A Prosecution Manual*

The first OWI/Major Traffic Offense in Iowa Prosecution Manual was published by PATC in 1988. The author was staff attorney Kay Chopard. The manual was designed to assist prosecutors and law enforcement in all aspects of OWI prosecution and investigation. The Second Edition, authored by staff attorney E.A. "Penny" Westfall, was published in 1993 and

was updated annually. In October 2001 PATC staff attorney Peter Grady completed a total rewrite of the manual and the Third Edition was titled *OWI and Traffic Offenses: A Prosecution Manual*. The 4th Edition is now available only in electronic form and was distributed without cost to all 99 county attorney offices in October, 2004. Staff attorney Ann Brenden produced the CD-ROM and it is available for purchase from PATC. The September 2005 version of the CD-ROM included new links to cases, rules and statutes for the first time. A copy of the Order form is included in the Appendix. The Manual is also incorporated into the Charging Manual and Criminal Law Handbook.

10. *Iowa Civil Desk Reference Book*

The Civil Desk Reference was completed by Editor Ann Brenden in May 2001 and distributed at the Spring County Attorneys Conference. It is the first edition of a book that is intended to provide guidance to county attorneys on civil topics of interest. The first edition contains 30 chapters and covers subjects such as Budgeting, Civil Service, Collective Bargaining, Employment Issues, Home Rules, and Zoning. A fully searchable CD-ROM version of the book was created by Ann Brenden soon after the hard copy went to print and both were distributed simultaneously. No supplement has been produced.

11. *Criminal Law Handbook*

The first and second editions of the Criminal Law Handbook were published by ICAA. The Second Edition by Editor Ann Brenden was published in 1994 and was updated twice annually. In 2001 PATC took over the publication rights.

The 3rd Edition of the Criminal Law Handbook, a total revision by PATC attorney Ann Brenden was completed in 2003. It involved the conversion of the 4000-page Handbook from a WordPerfect format to a Word format. The primary significance of this change is that it provides greater ease of automation, specifically in the production of a CD-ROM. Now over 40,000 pages, the Handbook will be available only in electronic form. It has been copyrighted. The first version (2003-06) of the electronic Handbook was distributed in June 2003. The second version (2003-11) operated until August 31, 2004. The third version (2004-8) was issued using an entirely new software system (FolioViews) for its research capabilities. The next version (2005-09) was issued in September, 2005 and expired in March, 2006. The latest version (2006-09) was issued in October, 2006 and will expire March 2007 at which time a new version will be issued. The Handbook is now available to the entire judiciary through a licensing arrangement and is also utilized by the State Public Defenders across the state. For additional details on the content, costs, and availability of the CD-ROM, see the Order Form included in the Appendix.

12. *Criminal Rules CD-ROM*

With the February 2002 adoption by the Supreme Court of renumbered Criminal Rules of Procedure, Staff Attorney Ann Brenden created a searchable CD-ROM containing the new Rules with a cross reference to the old Rule numbers. The Criminal Rules are now a part of the Criminal Law Handbook.

13. *Iowa Court of Appeals Criminal Decisions*

In 2001 PATC produced a CD-ROM with published and unpublished Iowa Court of Appeals decisions starting in 1995. This coincided with the grant of authority to cite unpublished opinions. Those unpublished opinions rendered since 2001 are available on the judicial website. Those prior to 2001 are available only on the PATC CD-ROM.

C. Forfeiture Administration

Iowa Code section 809A.12(13) provides that "Title to all property declared forfeited under this chapter vests in the state...". In addition, Iowa Code section 809A.17(1) states "A person having control over forfeited property shall communicate that fact to the attorney general or the attorney general's designee." Except for about 7 months in late 2004, PATC has served as the Attorney General's designee since 1992.

As set forth in the Iowa Department of Justice policy regarding forfeited property, the PATC in 2006 transferred 205 titles to forfeited vehicles back to the seizing agency and collected \$297,158.43 as the state share. That represents ten percent of forfeited monies statewide. The majority of forfeited property is seized as a result of drug-related criminal activity. The figures for 2005 were 198 and \$160,024.47, respectively. In December 2002 each law enforcement agency in Iowa received a packet of materials reviewing the current forfeiture law, the administrative rules, proper forfeiture procedures, and suggested forms for use. This effort was undertaken in order to improve the procedure for and collection of forfeiture assets, especially the 10% share paid to the State of Iowa.

D. Research and Legal Assistance

The PATC staff is available and provides research assistance and legal advice to county attorneys and their assistants, as well as law enforcement officers on a daily basis.

E. Case Prosecution

During 2006 assistant attorneys general in the PATC Division prosecuted or assisted with the prosecution of four criminal cases where the county attorney was unable to prosecute because of a conflict of interest or inexperience and requested such assistance. Staff attorneys have also on occasion been asked to assume the full time duties of an absent county attorney. Michael Bennett served as Madison County Attorney for a month in Spring 2006.

F. Civil Advice and Assistance

In September, 2005, PATC began a new service for county attorneys by hiring attorney Michael Bennett for the position vacated by Ann Brenden in May, 2005. PATC had long felt the need to provide legal advice and assistance to Iowa County Attorneys concerning their statutory duties in the civil areas of county government. PATC Staff Attorney Michael Bennett has developed that responsibility and position to the point that he is now well known by most county attorneys as the expert resource in the county civil area. He has taken over the management of the ICAA Government Practice Committee and, through those contacts, has taken advantage of the civil expertise of the county attorney members. He has made very good use of the ProLaw Case Management software for documenting and retrieving civil advice provided to county attorneys.

1. Technical Assistance

More than 130 requests for assistance on civil matters requiring additional research were fielded in 2006. Most of these matters required four or more hours of research. Responses have been entered into a case-tracking system to develop a searchable database to identify future training needs, and for retrieval on similar future issues. The questions fielded included a wide variety of issues. Open meetings and public records questions were the most common. Other common areas of inquiry included duties and powers of county boards and officers, property taxation issues, and employment issues. This service has been well received and there has been a steady increase in the volume of inquiries as it has become more widely known.

2. Training

Another major effort in the past year has been to provide training in areas identified through the civil assistance program. Based on the number of inquiries on open meetings/ public records, Staff Attorney Michael Bennett presented an overview of these areas at the 2006 ICAA Spring Conference. He also spoke on recent legislative changes to the county treasurer's duties and procedures at that conference. At the 2006 ICAA Fall Conference, Michael Bennett presented on the major revision of Iowa's eminent domain laws. Additional training presented by Michael Bennett in 2006 included a presentation to the Iowa Sheriffs and Deputies Association on civil service law, and seven presentations to prosecutors and law enforcement officers regarding the statutory right to counsel under Iowa Code 804.20.

3. Publications

In 2006, PATC launched a new publication, the *Iowa County Attorney Civil Update*. This newsletter provides summaries of Iowa Supreme Court, Iowa Court of Appeals, and other legal developments with relevance to county attorneys' civil duties. Two issues of the publication have been distributed via e-mail to all county attorney offices. It is expected that this publication will be distributed 2-3 times per year. The feedback received on this publication has been quite positive, and it is hoped that this will become an important resource for county attorneys.

4. ICAA Government Practice Committee

Staff Attorney Michael Bennett has served as PATC's staff liaison to the ICAA Government Practice Committee. This committee met twice in 2006 in Des Moines. One of the best aspects of these meetings has been bringing together a mix of attorneys from large and small jurisdictions and specialized civil and more generalized practices to identify and discuss emerging civil issues facing county attorney offices.

III. Grants

The PATC has actively pursued federal grant money to assist in meeting the needs of prosecuting attorneys in Iowa.

A. Governor's Traffic Safety Bureau Highway Safety Grant

The PATC receives federal money from the Governor's Traffic Safety Bureau (GTSB) to provide training and assistance for prosecuting attorneys and law enforcement officers in highway safety issues. The work of the grant attorney is performed by a part-time secretary and one full-time attorney position, the latter of which is split 75/25 by two attorneys.

1. Technical Assistance

The attorneys funded by this grant provided technical assistance to prosecutors, law enforcement officers, legislators, and governmental agency staff. They also prepared and provided case specific information to prosecutors and law enforcement officers on many issues and assisted in reviewing and drafting proposed legislative language. An attorney also prosecuted one case in Polk County and one in Des Moines County at the request of the County Attorneys.

Attorneys consulted with prosecutors on 237 occasions and with law enforcement officers on 30 occasions on issues relating to OWI, juvenile alcohol issues, implied consent and licensing, vehicular homicide, arrest, statutory consultation issues following arrest, alcohol and drug testing, and automobile search and seizure. An attorney worked with and assisted other states' Traffic Safety Resource Prosecutors on various issues throughout the year. Attorneys also responded to traffic safety questions from and served as a resource to citizens, students, MADD, various Traffic Safety Resource Prosecutors from around the country, the DCI Lab, the DOT, legislators, and others.

In addition to the traffic safety consultations, attorneys consulted with prosecutors on general criminal, ethical, or other legal issues not involving traffic safety or alcohol on 101 occasions. These consultations included a variety of specific questions in many areas including new legislation, trial practice, domestic violence, drug offenses, and charging decisions in cases. The staff attorney also published an electronic index to juvenile cases decided by the Iowa Court of Appeals. The staff attorney also published an electronic index to prosecutorial misconduct cases in Iowa from 1997 through 2006.

2. Training

The attorneys provided training in OWI and vehicular homicide to 48 prosecutors in a day long event at Marshalltown; in addition, a total of 43 prosecutors attended training programs primarily designed for law enforcement officers held in Rockwell City, Manchester, Jefferson, Burlington, Algona, and LeMars, and the two New Legislation workshops held in Ames and Coralville. In addition, the attorneys facilitated OWI-related training at the Spring 2006 county attorney conference, attended by approximately 150 prosecutors. The attorney also provided training to Drug Recognition Experts on 2 occasions, participated in three moot court programs for ILEA, and assisted in an SFST training program in cooperation with ILEA. The total combined attendance by law enforcement officers at these various events was approximately 525 officers. In addition, the attorney provided workshops at the GTSB conference (approximately 200 attendees), at a GTSB-sponsored motorcycle safety conference (approximately 35 attendees) and a NHTSA-MADD conference in Denver, Colorado (approximately 150 in attendance.) Finally, the attorneys provided workshops on OWI, alcohol, and other issues to approximately 100 Iowa judges and 150 magistrates

3. Publications

a. OWI and Traffic Offenses in Iowa: A Prosecution Manual

The Fourth Edition was published this year on CD-ROM using the Folio Views format. In addition, memos and case materials were sent to prosecutors on 93 occasions.

b. Highway Safety Law Update

Four newsletters were published in 2006. Most distribution is electronic, although over 100 paper copies are still mailed to various recipients. The newsletter publishes summaries of federal and Iowa decisions involving traffic safety. In addition, memos and case materials were sent to prosecutors on 57 separate occasions.

c. Case Annotations

Two sets of case annotations are included in OWI and Traffic Offenses in Iowa: A Prosecution Manual: published cases and unpublished cases, with links to the text of the cases.

B. Governor's Office of Drug Control Policy Comprehensive Career Criminal & Drug Prosecution Support Program (CCC&DPSP)

The PATC receives federal money from the Governor's Office of Drug Control Policy (ODCP) to fund the Comprehensive Career Criminal & Drug Prosecution Support Program (CCC&DPSP). CCC&DPSP is staffed by one full-time attorney, one part-time secretary, and a part-time law-school intern.

1. Technical Assistance

From its inception in 1991 to June 30, 1997 the CCC&DPSP provided funding for drug task force prosecutors. These prosecutors have vertical prosecution powers and work closely with drug task forces. In state fiscal year 1998 the ODCP changed its funding mechanism and now funds the drug task force prosecutors directly through the law enforcement drug task force applications.

CCC&DPSP continues to provide technical research assistance and guidance to the drug task force prosecutors. In addition, CCC&DPSP often provides technical assistance to prosecuting attorneys, assistant prosecuting attorneys, and law enforcement on a variety of drug related issues including forfeiture.

The CCC&DPSP attorney assisted several county attorneys with the prosecution of a variety of drug-related offenses and forfeitures in 2006. He also assisted the Iowa Division of Narcotic Enforcement on several investigative matters.

2. Training

Interdictions, Diversions and Informants

During the months of March and April, 2006, four one-day workshops were held around Iowa to review Drug Investigation techniques. The agenda covered an extensive forfeiture review, use of confidential informants, enforcement of evidentiary issues in the drug endangered children cases, and a drug enforcement legal update. Approximately 154 law enforcement officers and 28 prosecutors attended these events to earn 7.25 hours of State CLE.

In addition, the attorney presents legal updates and topical lectures to law enforcement agencies around the state, including county sheriff's offices, multi-jurisdictional task forces, city police departments, and the Iowa Department of Public Safety. On occasion, the attorney will assist the Iowa Law Enforcement Academy with the training of new recruits.

3. Publications:

a. *Drug Enforcement Update*

The CCC&DPSP publishes and distributes a periodic newsletter to approximately 650 prosecuting attorneys, assistant prosecuting attorneys, and drug task force officers. This newsletter summarizes Federal and Iowa Supreme Court and Iowa Court of Appeals decisions that pertain to drug offenses and related topics. Three issues were published, February, June and September, 2006.

b. *Search & Seizure Manual*

PATC staff attorney Kevin Struve completed a full revision of the Search and Seizure manual in April 2005 which was then converted, hyperlinked and digitized for the production of an accompanying CD-ROM by Ann Brenden. It has been produced in the Folio Views format and is now a part of the Criminal Law Handbook. It is available for purchase separately, also. It has now been updated through December, 2006.

4. Other

The CCC&DPSP attorney continues to act as the wiretap coordinator for the Iowa Department of Justice and has been designated the contact person for cybercrime related issues.

C. Office of Juvenile Justice and Delinquency Prevention/Iowa Drug Endangered Children (DEC) Program

The PATC receives funding through the Governor's Office of Drug Control Policy via a grant from the Office of Juvenile Justice and Delinquency Prevention (OJJDP) to fund the Iowa Drug Endangered Children (DEC) Program. The DEC program is staffed by one full-time attorney, who serves as the statewide DEC coordinator:-

1. Technical Assistance

The Drug Endangered Children Program was officially launched in October of 2003 with the purpose of complementing drug enforcement efforts by developing an effective and coordinated response to children found in meth labs. In June of 2004, the Governor's Office of Drug Control Policy and the Iowa Attorney General entered into an agreement to formalize the DEC program with the hiring of a DEC coordinator who is an assistant attorney general and PATC staff attorney. The position is designed to provide technical support and assistance to counties seeking to address the medical and developmental problems of drug-affected children while enforcing the laws designed to protect children and hold drug offenders accountable. The DEC Attorney provides statewide coordination of this program through the development of model protocols and best practices for each discipline involved in the removal, treatment and placement of drug-affected children. The DEC Coordinator also provides assistance to county attorneys with respect to all legal duties and responsibilities related to the prosecution of child endangerment. In September, 2006, Richard Early assumed the position of DEC Coordinator after the June departure of Mary Chavez.

2. Training

The DEC Coordinator works in conjunction with the Governor's Office of Drug Control Policy and the Midwest Counter-drug Training Center to provide DEC training throughout the state and assists individual communities in building coalitions of law enforcement officials, child protective workers and medical professionals to undertake a team approach to the rescue of children adversely affected by illegal substances.

The DEC Attorney works through the Office of the Prosecuting Attorneys Training Coordinator to develop DEC training opportunities for law enforcement, child welfare workers, county prosecutors, medical professionals and drug treatment providers, followed by local, regional and/or statewide trainings. The DEC Attorney partnered with Becky Swift of the ODCP in presentations to new teams in Marshalltown and Boone.

The DEC Attorney has attended and participated in several DEC coalitions across the state, including Polk, Story and Wapello. Additionally, the DEC Attorney organized a DEC Conference that was held on December 7 in Des Moines on the ICN.

3. Assistance to DEC Communities

In cooperation with the existing pilot DEC sites, the DEC Attorney has worked to identify weaknesses in the Iowa DEC programs and to define areas of collaboration where clear guidelines are needed to supplement existing protocols and procedures. The DEC Attorney has also served as a resource for DEC teams in numerous areas, including Polk and Clay counties, seeking review of their response practices to children. The DEC Attorney has acted as a liaison and works closely with the three Regional Child Protection Centers, the Iowa Department of Human Services, local law enforcement agencies and the Iowa County Attorneys Association to ensure that the health and safety of drug endangered children are being addressed.

4. Statewide Iowa Alliance for Drug Endangered Children

The DEC Attorney has worked to bring together communities from across the state to discuss statewide issues impacting children in dangerous drug environments. Through these efforts, the Iowa Alliance for Drug Endangered Children has taken root and continues to expand the DEC concept beyond the issue of meth labs, recognizing that collaborative efforts at all levels are needed to work for the safety and protection of all children impacted by parental substance abuse. Within the framework of the Iowa DEC Alliance, the DEC Attorney has also provided leadership in the formation of subcommittees related to the psychological and social needs of drug endangered children, criminal prosecution, parental treatment, education, and relevant medical issues.

5. Publications

a. Website

DEC attorney Richard Early assisted Becky Swift of ODCP with the Iowa Drug Endangered Children website, which provides a clearinghouse of information useful to communities implementing drug endangered children programs. The site contains guidelines and protocols for first responders, information about training opportunities, Iowa criminal and juvenile laws pertinent to drug endangered children, and articles relevant to treatment, enforcement and child protection.

IV. Miscellaneous

A. National Association of Prosecutor Coordinators

The Coordinator attended one 2006 National Association of Prosecutor Coordinators (NAPC) meeting. Attendance at these meetings provide the Coordinator with an excellent opportunity to meet his counterparts, search for possible speakers on relevant topics, and to keep current on pending federal and state legal, legislative, and ethical issues relevant to prosecutors.

V. Iowa County Attorneys Association

The Prosecuting Attorneys Training Coordinator also serves as the Executive Director of the Iowa County Attorneys Association.

A. Committees and Sections

The ICAA Executive Director supervises and attends the various ICAA committee and section meetings. Most committees continued to function as in previous years. The following is a list of the committees and a description of their function:

Prosecutorial Standards and Conduct Committee -- In cooperation with the Iowa Supreme Court Board of Professional Ethics & Conduct, this committee, for nearly 27 years, initially received all complaints against all Iowa prosecutors. That role was removed in June, 2005, by the Iowa Supreme Court in its changes to the Rules governing the attorney disciplinary process. See Court Rule 34.3. Although considering the complaints alleging ethical violations by prosecutors was the most important task of this committee, the committee continues its responsibility for giving advisory opinions, promulgating standards of conduct for prosecutors and providing guidance on matters of professional responsibility. Likewise, the Executive Director continues to give guidance to prosecutors and fields letters and calls from citizens.

Legislative Committee -- This committee determines the Association's legislative priorities and provides feedback regarding developments during each legislative session. Similarly, the Executive Director reviews pending Legislative bills, keeps prosecutors advised of major events in this regard, and responds to questions concerning pertinent legislation.

Forms Committee -- For many years this group had the most noticeable work product, the *Iowa Prosecutor's Form Book*. The committee worked to produce standardized forms for inclusion in the *Form Book*. The Committee has been suspended for 2007 as efforts are made to provide forms only in electronic form.

Juvenile Justice Committee -- This committee was formed in 1992 to bring the ICAA more actively into public policy participation on issues affecting children. The Executive Director worked in conjunction with this Committee for the improvement of juvenile laws, practice, and procedure. The Committee, while inactive for several years, revived early in 2003 and has met regularly with special concern for the Child Welfare Redesign proposals promulgated by DHS and PSG and has been very active with legislative issues.

Government Practice Committee -- Formerly known as the Civil Section Council, created in 1992, this committee brings together County Attorneys and Assistants to discuss current issues and methods concerning the statutory duty of civil representation of Counties and their officers and employees. The Executive Director encouraged and participated in improvement of communication in the County Attorney civil arena of duties.

Committee on Domestic Abuse -- This committee was created in 1995 to provide input in development of written procedures and policies to be followed by prosecuting attorneys in the prosecution of domestic abuse cases under chapters 236 and 708; to study, review, and respond to federal, state, and local domestic abuse initiatives; to study, respond to, and propose legislation and administrative rules pertaining to domestic violence; to identify and provide for training, publications, and information needed for prosecutors concerning domestic abuse. In 1995 the Committee submitted its recommendations for procedures and guidelines which the Attorney General adopted pursuant to legislative mandate. The committee was disbanded at the end of 2006 at the request of the chair.

Victim Witness Coordinators Section - This section was created to foster networking among prosecutor-based victim and witness assistance programs and increase public awareness of such programs. In the year 2000 a major effort began to integrate victim/witness coordinators into the ICAA Association and supervise the activities and training of the coordinators.

B. Training

The ICAA co-sponsors most of the training events conducted by the Prosecuting Attorneys Training Coordinator as described earlier in this report.

C. Publications

1. ICAA Salary Survey 2006

In September the annual county attorney salary survey was published by ICAA with the assistance of PATC. One electronic copy was provided free to each county attorney. The survey provides salary figures of lawyers in other jobs in Iowa and two neighboring states as well as judicial salaries and case load information in Iowa.

2. *ICAA Website: www.iowa-icaa.com*

In November 2000 PATC attorney Ann Brenden unveiled a new web site under the auspices of the Iowa County Attorneys Association. The site is aimed primarily at Iowa prosecutors. The web site includes a "links" page pointing to other web sites of value: a "marketplace" page for the announcement of job openings, a page devoted to CLE opportunities, policy and position statements of ICAA, Legislative Priorities, and several pages documenting the history, membership, and leadership of the Iowa County Attorneys Association. A password-protected area provides PowerPoint examples for use at trial.

VI. Continuing Legal Education

A. Accreditation

The Prosecuting Attorneys Training Coordinator is accredited by the Iowa Supreme Court Commission on Continuing Legal Education as a sponsor of continuing legal education credits (CLEs) in Iowa.

B. Credits

During 2006 the Coordinator's office conducted approximately 129 hours of training with 76.5 hours of CLE credits, including 3 hours of Ethics CLE credits and 11 hours of Federal CLE credits. A summary of events is attached in the Appendix.

VII. Appendix

- A. Staff-2006
- B. Summary of CLE Events
- C. Criminal Law Handbook 2006-09, Order Forms
- D. Iowa Charging Manual, Order Form
- E. Search & Seizure Manual, Order Form
- F. OWI Major Traffic Offenses in Iowa: A Prosecution Manual, Order Form
- G. 2006 Meeting and Training Dates
- H. 2006 County Attorneys Spring Conference Agenda
- I. 2006 County Attorneys Fall Conference Agenda